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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/799,463	03/12/2004	Dennis W. Minium JR.	MS307207.01 / MSFTP586US	7693
27195	7590	09/05/2008		
AMIN, TUROCY & CALVIN, LLP 24TH FLOOR, NATIONAL CITY CENTER 1900 EAST NINTH STREET CLEVELAND, OH 44114				
EXAMINER ZHEN, L F B				
ART UNIT 2194		PAPER NUMBER		
NOTIFICATION DATE 09/05/2008		DELIVERY MODE ELECTRONIC		

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

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# Office Action Summary

**Application No.**

10/799,463

**Applicant(s)**

MINIUM ET AL.

**Examiner**

LI B. ZHEN

**Art Unit**

2194

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 27 May 2008.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-13, 17-21 and 23-37 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-13, 17-21 and 23-37 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/S508)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_

**DETAILED ACTION**

1. Claims 1 – 13, 17 – 21 and 23 – 37 are pending in the application.

***Response to Arguments***

2. Applicant's arguments with respect to the claims have been considered but are moot in view of the new ground(s) of rejection.

***Claim Rejections - 35 USC § 101***

3. 35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

4. Claims 13 and 23 are rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter.

Claims 13 and 23 recite "computer readable medium" and applicant's specification discloses the computer readable medium as including both storage media and communication media [p. 44 lines 4 – 16]. The communication media includes modulated data signal such as a carrier wave [p. 44, lines 16 – 25]. As such, the claim is not limited to statutory subject matter and is therefore non-statutory. To overcome the 35 U.S.C. 101 rejection, the claims need to be amended to include only the physical computer media (e.g., storage media) and not a transmission media or other intangible or non-functional media.

***Claim Rejections - 35 USC § 103***

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

**7. Claims 1 – 13, 17 – 21 and 23 – 37 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 7,269,664 to Hutsch et al. [hereinafter Hutsch, previously cited] in view of U.S. Patent No. 7,149,734 to Carlson et al. [hereinafter Carlson].**

8. As to claim 1, Hutsch teaches a system that facilitates the interface of non-integrated applications [network portal system 100; col. 7, lines 38 – 48], comprising:

a processor coupled to a memory that retains [col. 21, lines 15 – 28];

an artifact provider that hosts artifacts [Universal content providers 331 make access possible to the different data sources in UCB content 332; col. 16, lines 20 – 26]

of a first application [local file system 544 (See FIG. 5), on an HTTP server 543, on a FTP server (not shown), in an e-mail account on IMAP server 542, or on a NFS server; col. 14, lines 60 – 67]; and

an artifact consumer that exposes at least one reference [web server 320 addresses UCB 113 and passes on the corresponding URI; col. 16, lines 32 – 45] held by a second application [client; col. 16, lines 32 – 45], the reference is a link to at least one of the artifacts of the first application hosted by the artifact provider [content identifier for that content; col. 63, lines 45 – 50]. Hutsch does not specifically disclose the artifacts include items of data the first application publicly exposes to other applications, each artifact is associated with an artifact type, the artifact type can be at least one of a source file, a defect, a requirement, a test result or a build; and link further comprises a link type that describes a relationship between the artifact consumer and the artifact provider.

However, Carlson teaches artifacts include items of data the first application publicly exposes to other applications, each artifact is associated with an artifact type, the artifact type can be at least one of a source file, a defect, a requirement, a test result or a build [Examples of artifacts for software assets include the source code or binary code for the software asset; col. 5, lines 36 – 52]; and link further comprises a link type that describes a relationship [Based on the content and structure described by the asset schemas, which may be dynamically generated from asset templates 47, asset source 12A and asset capture module 26 identify any incomplete artifact data that needs to be added to the capture asset; col. 8, lines 48 – 61] between the artifact consumer [asset

capture module 26 that interact with asset sources 12 to collect and aggregate artifacts from repositories; col. 7, lines 43 – 54] and the artifact provider [Asset management system 6 provides a centralized resource for collecting the asset descriptions from asset sources 12, and for publishing the asset descriptions to make the descriptions available to users; col. 7, lines 3 – 13].

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to modify the invention of Hutsch to incorporate the features of Carlson. One of ordinary skill in the art would have been motivated to make the combination because this provides for the association of software assets captured from diverse repositories with elements of software models, such as a process model, a structural model, a resource model, an implementation model, and the like [col. 2, lines 61 – 67 of Carlson].

9. As to claim 23, Hutsch teaches a computer-readable medium having computer-executable instructions for performing a method for facilitating an interface between non-integrated applications [col. 7, lines 38 – 48 of Hutsch], the method comprising:

providing an artifact provider [Universal content providers 331; col. 16, lines 20 – 26 of Hutsch] that communicates with a first non-integrated application [local file system 544 (See FIG. 5), on an HTTP server 543, on a FTP server (not shown), in an e-mail account on IMAP server 542, or on a NFS server; col. 14, lines 60 – 67 of Hutsch];

exposing an artifact hosted by the first application using the artifact provider [Universal content providers 331 make access possible to the different data sources in

UCB content 332; col. 16, lines 20 – 26 of Hutsch], the artifact comprises an item of public data of the first application [col. 5, lines 36 – 52 of Carlson];

providing an artifact consumer that communicates with a second non-integrated application [local file system 544, on an HTTP server 543, on a FTP server, in an e-mail account on IMAP server 542, or on a NFS server; col. 14, lines 60 – 67 of Hutsch];

exposing a reference held by second application using the artifact consumer [references to content providers in universal content providers 113; col. 58, line 61 – col. 59, line 12 of Hutsch] ; and

linking the reference to the artifact with an artifact identifier [content identifier for that content; col. 63, lines 45 – 50 of Hutsch].

10. As to claim 34, Hutsch as modified teaches a system that facilitates the interface of non-integrated applications, comprising:

a processor coupled to memory [col. 21, lines 15 – 28 of Hutsch], the processor configured to act as:

means for exposing an artifact of a first application [Universal content providers 331 make access possible to the different data sources in UCB content 332; col. 16, lines 20 – 26 of Hutsch];

means for exposing a reference of a second application [references to content providers in universal content providers 113; col. 58, line 61 – col. 59, line 12 of Hutsch];

means for linking the reference to the artifact with an artifact identifier [content identifier for that content; col. 63, lines 45 – 50 of Hutsch];

means for caching the artifact and the artifact identifier with caching means [a caching implementation; col. 56, line 55 – col. 57, line 2 of Hutsch];

means for employing the linked reference to execute predetermined behavior associated with the artifact [col. 8, lines 48 – 61 of Carlson].

11. As to claim 2, Hutsch teaches the link is a uniform resource identifier (URI) [facilitates access to data through a Uniform Resource Identifier; col. 16, lines 20 – 26].

12. As to claim 3, Hutsch teaches the artifact provider and the artifact consumer are application program interfaces (APIs) that interface to the respective applications [col. 54, lines 26 – 42].

13. As to claim 4, Hutsch teaches a linking component that links the reference with the corresponding artifact [adapter forms a link with universal content broker 113 and universal content broker content 332 to retrieve data; col. 14, lines 12 – 19].

14. As to claim 5, Hutsch teaches the linking component is an artifact identifier held by the artifact consumer that points to an artifact [col. 28, lines 28 – 40].

15. As to claim 6, Hutsch teaches the linking component is binary, and is associated with a referring artifact and a referenced artifact [col. 38, lines 18 – 29].



16. As to claim 7, Hutsch teaches at least one of the provider and the consumer is a tool or service [col. 40, lines 8 – 13].

17. As to claim 8, Hutsch does not teach the artifact provider registers an artifact type for each artifact it provides, and registers a corresponding link type that each artifact can host.

18. As to claim 9, Hutsch teaches a generic artifact provider (GAP) that interfaces to a tool to facilitate storing and exposing both artifacts and artifact links [col. 27, lines 27 – 35].

19. As to claim 10, Hutsch teaches a GAP adapter that provides an interface between the GAP and a non-integrated application [adapter utilizes the same generic format independent interface to input the converted data; col. 27, lines 27 – 35].

20. As to claim 11, Hutsch teaches a cache that stores the artifacts and associated artifact links [col. 56, line 55 – col. 57, line 2].

21. As to claim 12, Hutsch teaches a user interface that facilitates presenting inter-artifact references [col. 14, lines 27 – 41].

22. As to claim 13, Hutsch teaches a computer readable medium having stored thereon computer executable instructions for carrying out the system of claim 1 [col. 91, lines 55 – 67].

23. As to claim 17, Hutsch teaches the link is an artifact identifier that is an immutable and uniquely constructed key [col. 63, lines 45 – 50].

24. As to claim 18, Hutsch teaches a link manager that manages a cache by updating and purging cache contents [col. 20, lines 42 – 57].

25. As to claim 19, Hutsch teaches the artifact provider and artifact consumer are at least one of loosely coupled and tightly coupled [col. 13, lines 54 – 67].

26. As to claim 20, Hutsch teaches a classifier that makes an inference based on parameters related to at least one of the artifact consumer, artifact provider, and non-integrated applications [col. 36, lines 40 – 67].

27. As to claim 21, Hutsch teaches the artifact provider creates and reveals a URI [col. 16, lines 20 – 26] for at least one of loosely-coupled server-based interactions, loosely-coupled clients, caching, and tightly-coupled interactions that support artifact-specific functions by contract with a caller [col. 13, lines 54 – 67].

28. As to claim 24, Hutsch as modified teaches registering an artifact type for the artifact and registering a link type that the artifact hosts [].

29. As to claim 25, Hutsch teaches presenting dependency information of the artifact to a user, the information including at least one of link type [col. 14, lines 12 – 19], artifact type [col. 65, lines 40 – 50], artifact name [col. 65, lines 1 – 15], and modification date [col. 38, lines 10 – 19].

30. As to claim 26, Hutsch teaches at least one of the artifact consumer and artifact provider is a web service [col. 7, lines 38 – 47].

31. As to claim 27, Hutsch teaches generating an artifact proxy that represents data stored in a non-integrated application [col. 37, lines 45 – 62].

32. As to claim 28, Hutsch teaches the artifact is representative of at least one of a source file, defect, requirement, test result, and build [col. 21, lines 26 – 35].

33. As to claim 29, Hutsch teaches the act of linking comprising a link that includes a referring URI, a referenced URI, and a link type [col. 16, lines 20 – 26].

34. As to claim 30, Hutsch teaches discovering which referring artifacts hold links to a specific referenced artifact [analyzes the URI to determine the content provider

identifier so that UCB can find the appropriate universal content provider on UCP registry 341; col. 16, lines 31 – 45].

35. As to claim 31, Hutsch teaches raising an event when the artifact is at least one of created, deleted, and changed [col. 52, lines 6 – 40].

36. As to claim 32, Hutsch teaches providing external addressability for the artifact by the artifact provider [col. 18, lines 50 – 60].

37. As to claim 33, Hutsch teaches providing a generic API that is both an artifact provider and an artifact consumer [col. 27, lines 27 – 35].

38. As to claim 35, Hutsch teaches means for synchronizing the caching means with a source of the artifact and a source of the artifact identifier [col. 37, line 63 – col. 38, line 11].

39. As to claim 36, Hutsch teaches means for defining the artifact and artifact identifier in XML [col. 39, lines 33 – 42].

40. As to claim 37, Hutsch teaches means for filtering a query [col. 15, lines 30 – 43].

#### **CONTACT INFORMATION**

41. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Li B. Zhen whose telephone number is (571) 272-3768. The examiner can normally be reached on Mon - Fri, 8:30am - 5pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Meng-Ai An can be reached on (571)272-3756. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Li B. Zhen  
Primary Examiner  
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